



EXPRESS MAIL NO: EL 501 638 155 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: *JOHNATAN BACON and ALAIN DESJARDINS*

Serial No.: 09/728,840

Group Art Unit: 1615

Filed: December 1, 2000

Examiner: to be assigned

For: PROLAMIN-BASED SUSTAINED-
RELEASE COMPOSITIONS AND
DELAYED-ONSET COMPOSITIONS

Attorney Docket No.: 9463-014-999

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION
and
REQUEST FOR CORRECTED FILING RECEIPT**

Assistant Commissioner for Patents
OFFICE OF INITIAL PATENT EXAMINATION
CUSTOMER SERVICE CENTER
Washington, D.C. 20231

Sir:

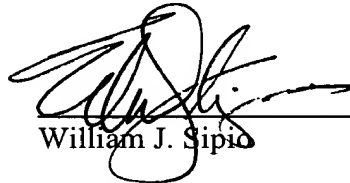
In response to the Notice To File Missing Parts Of Nonprovisional Application mailed on January 17, 2001, a copy of which is enclosed, applicants submit herewith a Declaration for Non-provisional Patent Application for the subject application which has been executed by the inventors.

Applicants also respectfully request that the Patent Office correct the Filing Receipt for the subject application. Enclosed herewith is a copy of the Official Filing Receipt with corrections indicated in red ink. Johnatan Bacon should be the first-named inventor. Alain Dejardins should be the second-named inventor. Please also note that the residence of each inventor has been provided for inclusion in the corrected Filing Receipt. Each inventor resides in Montréal, Québec, Canada.

The fee for the submission of this Response is estimated to be \$130.00. Please charge all required fees to Pennie & Edmonds LLP Deposit Account No. 16-1150.

Respectfully submitted,

Date March 19, 2001



William J. Sipio

(Reg. No. 34,514)

PENNIE & EDMONDS LLP

1155 Avenue of the Americas

New York, New York 10036-2711

(212) 790-9090

Enclosures



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/728,840 ✓	12/01/2000 ✓	1615	710	9463-014	7	17	2

20583
PENNIE AND EDMONDS
1155 AVENUE OF THE AMERICAS
NEW YORK, NY 100362711

1725

CONFIRMATION NO. 4238

FILING RECEIPT



OC000000005682848

Date Mailed: 01/17/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Montreal, Québec, Canada;
Alain Desjardins, ~~Residence Not Provided;~~
Johnatan Bacon, ~~Residence Not Provided;~~
Montréal, Québec, Canada;

Dis. 3/1/01
FOR - 8/1/01
Cyx - 12/1/01

Continuing Data as Claimed by Applicant

Foreign Applications

If Required, Foreign Filing License Granted 01/16/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

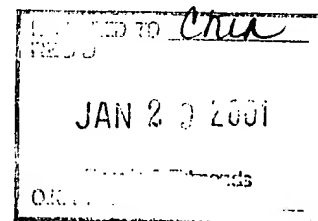
COPY

Title

Prolamin-based sustained-release compositions and delayed-onset compositions

Preliminary Class

424



Data entry by : PETROS, ZENEBECH

Team : OIPE

Date: 01/17/2001



COPY

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15 (b).

PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

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Office of Initial Patent Examination
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Washington, DC 20231

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#3

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/728,840	12/01/2000	Alain Desjardins	9463-014

20583
PENNIE AND EDMONDS
1155 AVENUE OF THE AMERICAS
NEW YORK, NY 100362711

CONFIRMATION NO. 4238

FORMALITIES LETTER



OC000000005682849

Date Mailed: 01/17/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/21/2001 MGBREM1 00000051 161150 09728840

01 FC:105 130.00 CH